THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

W.P.No.2870 of 2006

DATED:27.02.2006

BETWEEN:

B. Udaya Kumar and others ..Petitioner

And

The Director of Evaluation, JNTU, Administrative Building, Kukatpally, Hyderabad. and others ..Respondents

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ORDER:

The petitioners, who are three in number, are the students of Bachelor of Engineering, studying in second respondent-DRK Institute of Science & Technology, Bowrampet, affiliated to Jawaharlal Nehru Technological University, Hyderabad. They have completed their first semester course in the second year. On the eve of examinations, a list, dated 27.10.2005, of eleven students, who were having less than 65% of the attendance, and who were not eligible to appear for the semester examination, was displayed. It is stated that out of the total eleven candidates, who figured in the said list of detainees, six candidates represented to the University stating that they have requisite attendance to write the examinations. By proceedings, dated 20.12.2005, the University passed an order directing the Principal of the College to permit the above said six students to the next higher classes by permitting them for examination. Further, two other candidates, i.e. the first petitioner herein and one Anil Kumar, have filed a writ petition No.23931 of 2005, before this Court, which was disposed of by order, dated 08.11.2005, directing the respondents to permit them to write the examinations of first semester of second year. However, it is observed that the out come of the result of the examination is subject to the out come of the enquiry. It was their case that they also stand on the same footing as that of six others in whose favour enquiry was concluded. But, by the time the orders were passed in the earlier petition, the enquiry with regard to six other candidates was concluded.

So far as the first petitioner herein, who is also the petitioner in W.P.No.23931 of 2005, is concerned, he stands on the same footing as that of the other student by name Anil Kumar, who also approached this Court earlier. So far as petitioners 2 and 3 are concerned, though it is submitted by the learned counsel for the petitioners that they have also paid the examination fee, but admittedly they did not write two examinations, and they have not approached this Court earlier.

In that view of the matter, the respondents are directed to complete the enquiry so far as the first petitioner is concerned, who wrote examinations of first semester

pursuant to the orders of this Court in W.P.No.23931 of 2005, within ten days from today, and communicate the out come of the enquiry to the first petitioner. Inasmuch as petitioners 2 and 3 did not write examinations, no relief can be granted to them.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

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R. SUBHASH REDDY,J

Dated:27.02.2006

Note: Furnish certified copy

by 28.02.2006.

(B/o) GJ